IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2042 OF 2005
WITH
CRIMINAL APPLICATION NO.2043 OF 2005

The State of Maharashtra. ..Applicant.

V/s.

Shivaji Krishna Kashid & Ors. ..Respondents.

Ms.M.H.Mhatre, APP for State.

CORAM: A.M.KHANWILKAR,J

DATE : NOVEMBER 28, 2005.

P.C. :

1. Heard counsel for the applicant. Perused the evidence which was tendered across the bar by the learned APP.

2. View taken by the trial court in so far as medical evidence is concerned is a possible view. It is possible that injury in question is caused due to meeting with hard and blunt object. The evidence of other witnesses have also been considered by the court below in right perspective. Evidence would indicate that accused abused the complainant and started pelting stones towards him and one stone struck right knee of the complainant. Evidence of P.W.6 Doctor indicates that injured is his permanent

patient. Taking overall view of the matter, trial court recorded acquittal in favour of the respondent. As the view taken is founded on evidence on record and is a possible view, no interference is warranted. Hence dismissed.